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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

8

Application Number	09/687,855
Filing Date	October 13, 2000
First Named Inventor	Chaitan KHOSLA
Art Unit	1652
Examiner Name	K. Kerr

Attorney Docket Number

286002021100

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply (7 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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Remarks

Customer No. 25225

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Carolyn A. Favorito - 39,183
Signature	
Date	July 20, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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Dated: July 20, 2004 Signature:

(Brenda Campbell)

Docket No.: 286002021100  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Chaitan KHOSLA

Application No.: 09/687,855

Art Unit: 1652

Filed: October 13, 2000

Examiner: K. Kerr

For: E COLI AND STREPTOMYCES HOST CELLS  
THAT CONTAIN AN ADDED MATBC GENE  
(AS TWICE AMENDED)

### AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

### INTRODUCTORY COMMENTS

This is in response to the non-final Office Action dated April 21, 2004, for which a response is due on July 21, 2004. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.